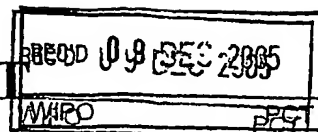


# PATENT COOPERATION TREATY

To:

HETERO DRUGS LIMITED  
Hetero House, 8-3-166/7/1, Erragadda,  
Hyderabad,  
Andhrapradesh.  
500 018 Hyderabad  
India

PCT



## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing 6 December 2005 (06.12.2005)  
(day/month/year)

Applicant's or agent's file reference  
HDL-PCT-27

FOR FURTHER ACTION  
See paragraph 2 below

International application No.  
PCT/IN 2005/000094

International filing date (day/month/year)  
29 March 2005 (29.03.2005)

Priority Date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC  
C07D 501/06

Applicant

HETERO DRUGS LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Cont. No. I Basis of the opinion
- ☐ Cont. No. II Priority
- ☐ Cont. No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Cont. No. IV Lack of unity of invention
- ☒ Cont. No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Cont. No. VI Certain documents cited
- ☐ Cont. No. VII Certain defects in the international application
- ☐ Cont. No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ AT  
**Austrian Patent Office**  
Dresdner Straße 87, A-1200 Vienna  
Facsimile No. +43 / 1 / 534 24 / 535

Authorized officer  
**WENIGER S.**  
Telephone No. +43 / 1 / 534 24 / 341

**Continuation No. I**

**Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed.

---

**Continuation No. V**

**Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims 1-21	YES
	Claims ----	NO
Inventive step (IS)	Claims 1-21	YES
	Claims ----	NO
Industrial applicability (IA)	Claims 1-21	YES
	Claims ----	NO

**2. Citations and explanations:**

In the light of the cited prior art documents, the present application meets the requirements of novelty and inventive step, since

- a process according to claim 1 comprising all essential reaction steps and the exact order of steps given in claim 1 is not known from any of the prior art documents.
- there could not be derived any suggestion from the (combined) teachings of prior art that such a particular method could give high purity cefixime without a need for isolation of cefixime salts or the corresponding free acid.

Industrial applicability of the subject matter of the present application is given.

---

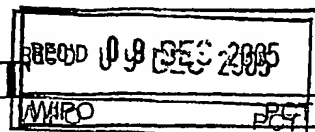
# PATENT COOPERATION TREATY

10598877

To:

**HETERO DRUGS LIMITED**  
Hetero House, 8-3-166/7/1, Erragadda,  
Hyderabad,  
Andhrapradesh.  
500 018 Hyderabad  
India

**PCT**



## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year) **6 December 2005 (06.12.2005)**

Applicant's or agent's file reference  
**HDL-PCT-27**

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/IN 2005/000094**

International filing date (day/month/year)  
**29 March 2005 (29.03.2005)**

Priority Date (day/month/year)  
-----

International Patent Classification (IPC) or both national classification and IPC  
**C07D 501/06**

Applicant

**HETERO DRUGS LIMITED**

1. This opinion contains indications relating to the following items:

- ☒ Cont. No. I Basis of the opinion
- ☐ Cont. No. II Priority
- ☐ Cont. No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Cont. No. IV Lack of unity of invention
- ☒ Cont. No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Cont. No. VI Certain documents cited
- ☐ Cont. No. VII Certain defects in the international application
- ☐ Cont. No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ AT  
**Austrian Patent Office**  
Dresdner Straße 87, A-1200 Vienna  
Facsimile No. +43 / 1 / 534 24 / 535

Authorized officer  
**WENIGER S.**  
  
Telephone No. +43 / 1 / 534 24 / 341

**Continuation No. I**

**Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed.

---

**Continuation No. V**

**Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, Inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims 1-21	YES
	Claims ---	NO
Inventive step (IS)	Claims 1-21	YES
	Claims ---	NO
Industrial applicability (IA)	Claims 1-21	YES
	Claims ---	NO

**2. Citations and explanations:**

In the light of the cited prior art documents, the present application meets the requirements of novelty and inventive step, since

- a process according to claim 1 comprising all essential reaction steps and the exact order of steps given in claim 1 is not known from any of the prior art documents.
- there could not be derived any suggestion from the (combined) teachings of prior art that such a particular method could give high purity cefixime without a need for isolation of cefixime salts or the corresponding free acid.

Industrial applicability of the subject matter of the present application is given.

---